



Department of Justice

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CLINTON COUNTY PHARMACIST CONVICTED OF DEFRAUDING OHIO MEDICAID PROGRAM OF MORE THAN \$300,000

COLUMBUS – Pharmacist Brian L. Martin of Wilmington was convicted in United States District Court here today of 37 counts of defrauding the Ohio Medicaid Program by submitting “dummy” prescriptions from the Main Street Pharmacy he co-owned in Blanchester. The loss to Medicaid is at least \$300,000 and could be as much as \$1.1 million.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio, Ohio Attorney General Nancy Rogers announced the verdict returned today by United States District Judge Edmund A. Sargus, Jr. after the conclusion of a 10-day bench trial that began September 2.

Martin forged prescriptions for drugs including Zyprexa, Zofian, Imitrex and routinely entered and submitted, or directed pharmacy technicians to routinely enter and submit, “dummy” prescriptions for these drugs and others into the Medicaid electronic billing system. Martin, a pharmacist, knew that the “dummy” prescriptions were never prescribed by physicians nor dispensed by the pharmacy.

Martin carried out the scheme between March 1, 2004 and September 14, 2005.

Judge Sargus convicted Martin of 21 counts of making health care false statements and 16 counts of health care fraud.

Each count of making health care false statements carries a maximum punishment of up to five years. Each count of health care fraud is punishable by up to ten years. Judge Sargus will set a date for sentencing. An exact amount of loss will be calculated prior to sentencing and could be considered as a factor in Martin’s sentence.

Medicaid is a federal health care benefit program designed to provide medical services, equipment and supplies to the poor. The U.S. Department of Health and Human Services supplies approximately 60 percent of the funding for the Ohio Medicaid program. The Ohio Department of Job and Family Services (ODJFS) administers the Medicaid program and pays claims submitted by health care providers.

Lockhart commended the investigation by the Ohio Attorney General’s Medicaid Fraud Control Unit, and Assistant U.S. Attorney Kenneth Affeldt and Special Assistant U.S. Attorney Keesha Mitchell with the Ohio Attorney General’s Office, who prosecuted the case.

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